

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Date:	November 15, 2007
Serial No.:	10/070,528
Filing Date:	December 2, 2002
Applicant:	PLANKI, Peter et al
Title:	METHOD AND DEVICE FOR MONITORING AND CONTROLLING THE OPERATIONAL PERFORMANCE OF A COMPUTER SYSTEM OR PROCESSOR SYSTEM
Examiner:	LOHN, Joshua A.
Art Unit:	2114
Telephone:	571-272-3661
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Confirm No:	7215

Mail Stop Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**AMENDMENT**

This Paper responds to the communication from the Examiner mailed May 15, 2007. Reexamination and reconsideration of the Application is respectfully requested.

Please charge any deficiency or credit any overpayment with respect to this Amendment to deposit account number 19-3140.

**INVENTOR:** PLANKI, Peter et al.  
**Serial No.** 10/070,528

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### **Issues Raised in the Office Action**

Claims 1 to 17 are currently pending in the application. By the first Office Action, claims 1-17 were rejected. Claims 1-5, 7, 9 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Atkinson (6029119); claim 6 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Atkinson in view of Skeie; claims 8, 11, 13, 14 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Atkinson in view of Tobita et al.; and claims 12 and 15 were under 35 U.S.C. § 103(a) as being unpatentable over Atkinson and Skeie in view of Tobita et al.